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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/672,851	09/26/2003	Colin Andrew Low	30018433-3	1268

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

HU, KANG

ART UNIT	PAPER NUMBER
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3714

MAIL DATE	DELIVERY MODE
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09/12/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/672,851	Applicant(s) LOW ET AL.	
	Examiner Kang Hu	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The following office action is in response to the Request for continued examination filed July 23rd, 2007. Currently claims 1-11 are pending.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, all the claimed methods steps, *inter alia*, simulating actives of plurality of creatures at a first mode of simulation, simulating an activity of one of the plurality of creatures at a second mode of simulation, must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will

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be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

In addition to Replacement Sheets containing the corrected drawing figure(s), applicant is required to submit a marked-up copy of each Replacement Sheet including annotations indicating the changes made to the previous version. The marked-up copy must be clearly labeled as "Annotated Sheets" and must be presented in the amendment or remarks section that explains the change(s) to the drawings. See 37 CFR 1.121(d)(1). Failure to timely submit the proposed drawing and marked-up copy will result in the abandonment of the application.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 4 recites the limitation "the starting parameters" in lines 2 and 3; Claim 10 recites the limitation "the plurality of creatures" in line 4; Claim 11 recites the limitation "the activities of a plurality of creatures" in lines 1 and 2. There are insufficient antecedent basis for these limitations in the claims.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

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such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. The broadly claimed invention of claims 1-11 as best understood are rejected under 35 U.S.C. 103(a) as being unpatentable over “The Sims Livin’ Large Expansion Pack – Prima’s Official Strategy Guide” by Rick Barba, 2000 (hereinafter as Barba) for the reason set forth in the prior office actions and incorporated herein.

Re claims 1-12, all the claimed limitations are rejected for the same reasons set forth in the prior office action, with the exception of the first mode of simulation is less detailed and less computationally intensive than a second mode of simulation (claim 1) and the second mode of simulation arranged to simulate an activity of one of the plurality of creatures observable by the user, wherein results at the second mode of simulation are used to provide a simulation of the plurality of creatures at the first mode of simulation for a new change in environment. Even though Barba does not explicitly state of such features as described by the applicant, however as seen in Fig 7-17 on page 130, the outside of the house simulation is less detailed and less computationally intensive than the inside of the house Figs 7-12 or 7-14 on pages 127 and 128. Also Fig 6-4 on page 99 shows the room from outside, the inside of the room is much more detailed and more computationally intensive than the outside, and the simulation provides both of inside of the room where its more detailed and outside of the provides a result less detailed and less computationally intensive than the inside. One of ordinary skill in the art would understand that such feature is obvious to simulate in games like Sims.

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7. The broadly claimed invention of claims 1-11 as best understood are rejected under 35 U.S.C. 103(a) as being unpatentable over “The Sims Livin’ Large Expansion Pack – Prima’s Official Strategy Guide” by Rick Barba, 2000 (hereinafter as Barba) for the reason set forth in the prior office actions and incorporated herein in view of examiner’s official notice.

Re claims 1-12, all the claimed limitations are rejected for the same reasons set forth in the prior office action, with the exception of the first mode of simulation is less detailed and less computationally intensive than a second mode of simulation (claim 1) and the second mode of simulation arranged to simulate an activity of one of the plurality of creatures observable by the user, wherein results at the second mode of simulation are used to provide a simulation of the plurality of creatures at the first mode of simulation for a new change in environment. There are many games where such feature has been provided to its players, include but not limited to Starcraft by Blizzard released in Feb 28 of 1998 (screen shot attached below). The main screen comprises of a more detailed and more computationally intensive simulation arranged to simulate the activities of plurality of creatures. The mini map on the bottom left provides a less detailed, less computational intensive simulation and the result of the main screen simulation is used to provide a simulation of the plurality of creatures at the mini map of simulation for a new change in environment. It would have been obvious for one of ordinary skill in the art to combine a mini map in a Sim environment to easily guide the player to where the player is going.

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Response to Arguments

8. Applicant's arguments filed July 23rd, 2007 have been fully considered but they are not persuasive.

In response to the argument in response to objection of drawings, the figure provided is insufficient in providing a clear picture of the claimed invention to one of ordinary skill in the art. The simulating activities of the plurality of creatures at a first mode of simulation, simulating an activity of one of the plurality of creatures at the second mode of simulation are the basics of this invention. A flow diagram consisting of 3 objects (100, 110 and 120) are insufficient in describing the inventions claimed in this application. The objections to the drawing can be found in the above office action.

9. Applicant's arguments with respect to claims 1-11 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Simlife: The official strategy guide (secrets of the game), Prima publishing, march 1993 teaches of simulated creatures in the changing environment.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kang Hu whose telephone number is (571)270-1344. The examiner can normally be reached on 8-5 (Mon-Thu).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on 571-272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/KH/
Kang Hu
August 27, 2007


Robert E Pezzuto
Supervisory Patent Examiner
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